

REMARKS

Claims 1-35 are pending in this application, all of which stand rejected. In this response, Applicants amend claims 1, 6, 11, 16, 22 and 32 to more particularly point out and distinctly claim Applicants' invention, amend claims 9, 10, 19, 21, 30 and 31 to provide proper antecedent basis as suggested by the Examiner, and cancel claim 20. Support for the claim amendments are provided throughout the specification. The amendments add no new matter. Claims 1-19 and 21-35 remain pending. Further examination and review in view of the amendments and remarks below are respectfully requested.

In the Office Action mailed on May 6, 2004 (Paper No. 7), the Examiner rejected claims 1-31 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention; rejected claims 1-3, 5-13, 15-24 and 26-34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,491,673 to Kraemer et al. ("Kraemer") in view of U.S. Patent No. 6,675,178 to Chinchar et al. ("Chinchar"); and rejected claims 4, 14, 25 and 35 under 35 U.S.C. § 103(a) as being unpatentable over Kraemer in view of Chinchar and U.S. Patent No. 5,362,948 to Morimoto ("Morimoto").

Applicants' Techniques

Applicants' techniques are directed to tracking orders at a unit level. One aspect of Applicants' techniques provides a unit order system that interfaces with an existing order processing system to track orders at the unit level. The order processing system provides an order database that typically includes an order record for each order and an item record for each item of the order. The unit order system provides a unit order database that includes a record for each unit of each item of each order in the order database. The unit order system periodically accesses the order database to identify new orders or changes to existing orders in order to update the unit order database to reflect the new, changed or canceled orders.

Cited References

Kraemer

Kraemer describes a method for creating a historical record of the manufacturing, transportation and location history of steel pipe joints. During manufacture of the pipe joint, a label containing a heat number, coil number and joint number is created and attached to the corresponding pipe joint. After a pipe joint is transported to its final location, the location of the final destination is compiled into a historical record along with the information contained in the label, and the label is then removed from the pipe joint to prevent damage to sensitive components in the completed pipeline.

Chinchar

Chinchar is directed to an approach for enhancing a commercial transaction conducted via a communications network by providing synchronized updates to configuration databases associated with different business entities. A real-time detection procedure detects a change in configuration data stored in a first configuration database and, within a maximum time interval after detecting the change, transmits revision data to a second configuration database. The second configuration database is updated according to the received revision data, so that the configuration data in the first configuration database mirrors the configuration data in the second database.

Morimoto

Morimoto is directed to using facsimile communications between an orderer and a supplier to automatically manage an order. Paperwork to process an order, such as an order sheet, an order content check request sheet, an order content confirmation sheet, etc., is transmitted between the orderer and the supplier via facsimile.

I. Rejections under 35 U.S.C. § 112, second paragraph

The Examiner rejected claims 1-31 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 1, 6, 9-11, 16, 19, 21, 22, 30 and 31 have been amended to address the Examiner's concerns, and claim 20 has been canceled.

II. Rejections under 35 U.S.C. § 103

All of the claims stand rejected over Kraemer in view of Chinchar or Chinchar and Morimoto. Applicants respectfully traverse this rejection. All of Applicants' claims include the common feature of an existing order database that tracks orders at the "item" level, and a unit order database that tracks at the "unit" level. In particular, the unit order database includes a record for each unit of each item of each order contained in an order database and, when the status of the item changes, the record is set to reflect the change in the status of the item.

In rejecting the claims, the Examiner stated, "Kraemer discloses the use of a method which creates a record for each unit (pipe joint) in order to track the exact location and destination of the unit (pipe joint) (See abstract, column 5, line 38-47)," "setting a status for each unit shipped (Column 5, lines 38-47, and Column 9, line 66 to Column 10, line 24)," and "entering in the purchase order and updating the order, and the individual records are updated to correspond to the changes (column 8, lines 5-20)."

Applicants respectfully disagree. Kraemer and the other references do not disclose an order database that tracks orders at the "item" level and a unit order database that tracks at the "unit" level, and, further, do not teach or suggest providing a record in the unit order database to keep track of the status of each item in the unit order database. Instead, Kraemer merely describes using a label to create a historical record of the manufacturing, transportation and location history of steel pipe joints. (see Abstract).

In rejecting the claims, the Examiner admitted that Kraemer "fails to disclose the purchase order and the unit records being kept in databases that are linked or synchronized with each other," but asserted that "Chinchar et al. discloses storage devices which store data in databases, and which communicate with each other, so that when one is updated, the second one is subsequently updated," and that "it would have been obvious to one having ordinary skill in the art at the time the invention was made, to modify Kraemer to have the purchase order data in a first database, and the unit (pipe joint) records in a second database, . . . , in order to provide accurate transactions between the purchase order and the unit records." Applicants respectfully disagree.

According to Chinchar, "the configuration data of the first configuration database **mirrors** configuration data of the second configuration database." (Abstract) (emphasis added). Thus, the same configuration data is contained in the two configuration databases, which is in contrast to the Examiner's suggestion of having the purchase order data in a first database, and the unit (pipe joint) records in a second database. Additionally, in Applicants' technique, the unit order database does not mirror the information stored in the order database. The unit order database contains a record for each unit of each item of each order, and this record is not present in the order database. Thus, Chinchar fails to disclose, suggest or teach Applicants' order database and unit order database.


Additionally, Applicants respectfully submit that there is no motivation to combine Kraemer and Chinchar, because doing so would have made the label printing process more cumbersome and difficult in that data for the label would need to be obtained from two databases. Furthermore, the references lack a suggestion or motivation to combine the references, as required by Manual of Patent Examining Procedure § 2143 and controlling case law.

III. Conclusion

In view of the foregoing, Applicants respectfully submit that claims 1-19 and 21-35 are allowable and ask that this application be passed to allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8000.

Respectfully submitted,
Perkins Coie LLP

Date: 8/6/04


Do Te Kim
Registration No. 46,231

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000